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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

UNITED STATES FOOD AND  
DRUG ADMINISTRATION, et al.,

Defendants.

NO. 1:23-cv-03026-TOR

**STIPULATED MOTION TO  
MODIFY DEADLINES**

Following a request by the Plaintiff States, the parties hereby stipulate to and request that the Court modify the schedule set in its Order entered on November 25, 2024 (ECF No. 169) and extend Plaintiffs' deadline to file their combined reply in support of their motion for summary judgment and opposition to Defendants'

1 motion for summary judgment, and all subsequent related deadlines. As set forth  
2 herein, good cause exists to grant this Motion.

3 1. On November 25, 2024, upon the stipulation of the parties, the Court  
4 entered the operative summary judgment briefing schedule (ECF No. 169). Under  
5 that schedule, the Plaintiff States' combined reply in support of their motion for  
6 summary judgment and opposition to Defendants' motion for summary judgment,  
7 not to exceed 35 pages, is due no later than January 29, 2025.

8 2. The Plaintiff States request a sixty-day extension of that deadline to  
9 accommodate the change of administration in a number of the Plaintiff States,  
10 including Washington and Oregon, both of whom elected new Attorneys General  
11 who have not yet taken office. The Plaintiff States need time to confer with their  
12 new Attorneys General, and their incoming leadership teams, on this matter  
13 following the transition in January 2025 and provide them with ample time to  
14 review the robust record in this case.

15 3. The Plaintiff States have met and conferred with Defendants, who  
16 agree to this request. The parties agree that Defendants' remaining briefing  
17 deadline, and the parties' shared deadline to file the joint appendix, should likewise  
18 be extended.

19 4. Accordingly, the parties request that the Court modify the existing  
20 briefing schedule as follows:  
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- 1 a. Plaintiffs will file their combined reply in support of their motion for  
2 summary judgment and opposition to Defendants' motion for  
3 summary judgment, not to exceed 35 pages, no later than March 31,  
4 2025;
- 5 b. Defendants will file their reply in support of their motion for summary  
6 judgment, not to exceed 20 pages, no later than May 30, 2025; and
- 7 c. The parties shall jointly prepare, and Plaintiffs shall file, a joint  
8 appendix containing portions of the administrative record cited in the  
9 parties' briefs no later than June 13, 2025.

10 The parties will thereafter be available for argument on their summary  
11 judgment motions at the Court's convenience.

12 DATED this 20th day of December 2024.

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 20, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which in turn automatically generated a Notice of Electronic Filing (NEF) to all parties in the case who are registered users of the CM/ECF system. The NEF for the foregoing specifically identifies recipients of electronic notice. I declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct.

DATED this 20th day of December 2024, at Seattle, Washington.

s/ Lauryn K. Fraas

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